



## **MARTA LEGISLATIVE UPDATE**

**April 7, 2008**

The 2008 session of the Georgia General Assembly adjourned at midnight on Friday, April 4<sup>th</sup>. Any bills that did not pass both chambers are dead.

1. **Transportation Funding:** With four minutes left in the session, the Senate failed to pass by three votes the constitutional amendment allowing for regions to hold referenda for transportation funding. The funding bill had been split into two separate vehicles - SR 845, allowing for the constitutional amendment vote this November, and HB 1035, enabling legislation giving details of how such a regional SPLOST would work. In the final minutes of the session, the House passed both SR 845 and HB 1035, but the Senate failed to garner the necessary 38 votes on the constitutional amendment (the vote was 35-18 in favor). The conference committee on the funding bills had met all week in an attempt to come up with language that would be suitable for both Senate and House members, but did not produce a final bill until 10:30 p.m. on the final day, and therefore left little time for legislators to review the measures. Several Senators stated that they voted against the funding bill, which was perceived by some as a "tax increase," because the House and Senate could not come to an agreement to pass a tax cut. There were other reasons, some unrelated to the bill itself, that SR 845 failed to garner the necessary 2/3 majority in the Senate. We will continue to work with the Get Georgia Moving Coalition during the off-season to examine ways in which we might be successful next year.
2. **SB 332:** Sen. Curt Thompson's bill to allow MARTA to enter into a rail services contract with another entity failed to pass because it did not come out of the House Rules Committee (required of all legislation) and therefore did not come up for a vote on the House floor. Sen. Thompson and others asked for the bill to come out of Rules on several occasions, but Chairman Earl Ehrhart never allowed it to do so. We believe that the bill was perceived as a "MARTA bill" and House leadership was averse to entering protracted floor debate on such a bill at such a late date in the session. We will work with Sen. Thompson and others over the summer to find out how we can be more successful, should this continue to be a model the region wishes to pursue.
3. **HB 1035 (Motor Fuel Tax Exemption for Transit Agencies):** This bill, originally designed to extend the sunset for two years on the motor fuel tax exemption for transit agencies, was "hijacked" on the 39<sup>th</sup> day to be used as a vehicle for the transportation funding enabling legislation (HB 1035 was the last eligible bill to open the same Code section). HB 1035, in its final form containing both the motor fuel tax exemption extension and the regional SPLOST enabling legislation, did pass both the House and Senate in the final minutes, and is now eligible to be signed by the Governor. We expect that he will sign the bill, since it was originally GRTA-initiated legislation. The provisions related to the funding bill will not take effect because the constitutional amendment legislation did not pass, but the original motor fuel tax exemption will stand alone. This exemption currently saves MARTA \$1.3 million annually.

4. **SB 254 (Police Indemnification):** Sen. Johnny Grant's bill to make changes to the state Police Indemnification Fund passed the House on the 39<sup>th</sup> Day, and is expected to be signed by Governor Perdue. The bill's language does appear to add MARTA police officers to the fund.
5. **HB 89 ("Guns in parking lots" bill):** This bill passed both the House and Senate on the final day of session, and appears to remove the prohibition on firearms on public transportation vehicles. We will work with the Governor's office in an attempt to gain a veto of this bill. The bill did not affect the "zero tolerance" Code section that prohibits "dangerous articles" on public transportation, so we will seek clarification on how this bill ultimately affects MARTA.

Please contact Scott Haggard at 404-848-5177 or Rhonda Ridley at 404-848-5736 if you have any questions.